



**UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/020,699	02/09/98	SLATER	R 7204

LM02/0914
MICHAEL CHAN
NCR CORPORATION LAW DEPARTMENT
INTELLECTUAL PROPERTY SECTION ECD2
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DAYTON OH 45479-0001

EXAMINER

CHINDR, L

ART UNIT	PAPER NUMBER
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2764

DATE MAILED: 09/14/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/020,699

Applicant(s)
Slater et al

Examiner
Chinor M. Lee

Group Art Unit
2764



☒ Responsive to communication(s) filed on Jun 30, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-17 is/are pending in the application.

Of the above, claim(s) 3 is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1, 2, and 4-16 is/are rejected.

☒ Claim(s) 17 is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☒ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Specification

1. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: claim 2. It is not disclosed in the specification a method for displaying the first and second entries for data after receiving the second entry of data. The applicant is requested to include supporting subject matter in the disclosure of the invention

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 and 4-10, 12-14, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Suzuki (4,801,787).

4. As per claim 1, Suzuki discloses a method of receiving a first entry of data, a second entry of data, a means for checking these entries against a stored security field, and a means to ensure the validity of the received data fields (column 2; lines 5-11 & claim 1; abstract).

5. As per claim 2, it is disclosed in Suzuki a system in which the first and second entries are displayed when the second data entry is received (claim 8).

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6. As per claim 4, Suzuki discloses that one entry of data is a PIN and the other is data personal to an authorized holder of the card (claim 9).
7. As per claim 5, Suzuki discloses that one of the stored fields of security is stored on the user identification card (claim 12).
8. As per claim 6, Suzuki discloses a system with a manual data entry means (claim 1), a communications means (claim 2), and a means of validation (claim 1). Also, within this reference it is disclosed a processing unit which controls the (i) communications means which requests data from the user via the entry means (column 2; lines 17-25), (ii) checking the first entry of data against a first stored field of security data (claim 1), (iii) controlling the communication means to request a second entry of data from the user via the data entry means (claim 2), (iv) checking the second entry of data against a second stored field of security data, and (v) determining the validity of the transaction based upon results of the checks made of the first and second entries of data against the first and second stored fields of security data, respectively (claim 1).
9. Claim 7 is rejected as stated above in claim 2.
10. As per claim 8, it is disclosed in Suzuki a system in which the data processing unit causes the communications means to make at least one further request for data to be entered by the user through the data entry means when an incorrect entry of data is received and then checks the data entered in response to the further request against stored security data (column 2; lines 17-25 & column 4; lines 3-27).

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11. As per claim 9, it is disclosed in Suzuki a system in which the nature of a further request is determined by the nature of the errors (columns 3-5).
12. As per claim 10, it is stated in Suzuki that the card is inserted (column 2; lines 5-11) yet it does not state that this card's insertion is used to initiate a transaction however it is an inherent feature of such a system.
13. As per claim 12, it is disclosed in Suzuki a system in which at least one of the stored fields are stored on the card and since the card is inserted into a terminal, as stated above in claim 10, it is an inherent feature that the card is read by a card reader and while being read the at least one of stored fields of security data is read thereby making this an inherent feature of such a system.
14. Claim 13 is rejected as stated above in claim 8.
15. Claim 14 is rejected as stated above in claim 8.

Claim Rejections - 35 USC § 103

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. Claims 11 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki and Granzow et al (4,578,567).

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18. As per claim 11, it is not stated in Suzuki a system which captures the user identification card when a error is received, yet it is disclosed in Granzow et al (column 3; lines 38-52).

19. Therefore, it would have been obvious to one of ordinary skill in the, art at the time of the invention, to combine the stored security field system of Suzuki with the card capture system of Granzow et al making for a more secure system.

20. As per claim 16 , both Suzuki and Granzow et al fail to teach the consequences of a lack of agreement between the entered data and the data read from the card. Official notice is taken that it is well know in the ATM art that if these data are not in agreement that the transaction is suspended. This would have been an obvious feature to include to ensure that fraudulent persons would be unable to use the card.

21. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki, Granzow et al, and Chapin, Jr. (5,883,377).

22. As per claim 15, it is not disclosed in Granzow et al or Chapin, Jr. that the first and second data be stored on the card, yet it is disclosed in Suzuki (claim 12). Further, it is not disclosed in Suzuki or Granzow et al that the information be stored in encrypted form, yet it is disclosed in Chapin, Jr. (abstract).

23. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to combine the stored security field system of Suzuki with the card capture system of Granzow et al making and that with the encryption feature of Chapin, Jr. for a more secure system.

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Allowable Subject Matter

24. Claim 17 is objected to as being dependent upon a rejected base claim, but may be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

25. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

-Gatto (5,859,416) teaches a fuel pump system with automated transaction processing.

27. Applicant's arguments with respect to claims 1, 2, and 4-13 have been considered but are moot in view of the new ground(s) of rejection.

26. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chinor M. Lee whose telephone number is (703) 306-5446. The examiner can normally be reached on Monday-Thursday from 7:30 a.m. to 4:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305-9768.

Any response to this office action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

or:

(703) 308-5397, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive Arlington, Virginia, (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

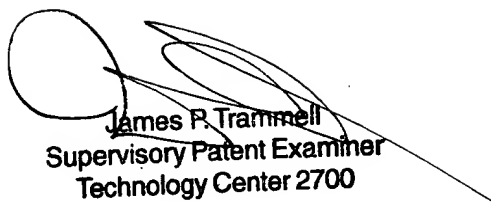
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CML

September 2, 1999



James P. Trammell
Supervisory Patent Examiner
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